

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

BEN EZRA LYONS,,)	
)	
Petitioner,)	
)	
vs.)	No. CIV-08-540-C
)	
GREG PROVINCE, Warden,)	
)	
Respondent)	

ORDER OF TRANSFER

This action for habeas corpus relief brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Robert E. Bacharach, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Bacharach entered a Report and Recommendation on June 4, 2008, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

The facts and relevant law are set out in full in the accurate and well-reasoned Report and Recommendation of the Magistrate Judge and there is no purpose to be served in repeating them yet again. In his objection, Petitioner merely restates the conclusions and legal argument originally asserted, and raises no issue not fully and accurately addressed and rejected by the Magistrate Judge.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and, for the reasons announced therein, this action is transferred to the United States Court of Appeals for the Tenth Circuit for consideration whether to authorize a second or subsequent petition.

IT IS SO ORDERED this 20th day of June, 2008.



ROBIN J. CAUTHRON
United States District Judge